



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

गुरुवार, ऑक्टोबर १६, २००३/आश्विन २४, शके १९२५

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक विले आहेत.

भाग चार-अ

महाराष्ट्र शासनाने केंद्रीय अधिनियमान्वये तयार केलेले (भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आवेश यांव्यातिरिक्त) नियम व आवेश.

HOME DEPARTMENT

Mantralaya, Mumbai 400 032, dated the 8th October 2003

NOTIFICATION

MOTOR VEHICLES ACT 1988.

No. RTA. 1002/CR-1/TRA-3.—It has been decided by the Government of Maharashtra and Chhattisgarh to enter into Reciprocal Transport Agreement, a *draft* of which is hereby published as required by subsection (5) of Section 88 of Motor Vehicles Act, 1988, for information of all persons likely to be affected thereby and notice is hereby given that the representation in connection with the said proposals may be submitted by any of the person, association or authority who have a right under the said subsection (5) to make such representation to the Secretary, State Transport Authority, Maharashtra State, Administrative Building, 4th floor, Near Dr. Ambedkar Udyan, Government Colony, Bandra (East), Mumbai 400 061 before 7th November 2001.

The said proposals and any representations in connection therewith which may be received by the Secretary, State Transport Authority, Maharashtra State before the aforesaid date will be considered by the State Transport Authority in its office of Mumbai after the 7th November 2001.

Draft reciprocal transport agreement between Government of Maharashtra & Chhattisgarh

This **draft** agreement made this Eleventh day of July 2003 between the Governor of Maharashtra (hereinafter called "The Government of Maharashtra") of the one part and the Governor of Chhattisgarh (hereinafter called "The Government of Chhattisgarh") of the other.

In exercise of the powers conferred under section 88 (5) of the Motor Vehicles Act, 1988 and where it is expedient in view of the rapid economic development of the country to encourage the interstate transport of passengers and goods between the State of Maharashtra & Chhattisgarh State and to regulate, co-ordinate & control their operations, it is necessary in the interest of the public in general, it is proposed to enter into a Reciprocal Ransport Agreement between the two States.

Now, therefore, the Government of Maharashtra & Government of Chhattisgarh hereby enters into this agreement on the terms and conditions set out hereinafter.

I. Stage **Carriage Permits**.—(a) Inter-State routes for **stage** carriages shall mean the **routes** connecting the main terminal points by shortest way on the either side of border, unless otherwise mutually agreed upon in any particular case or cases.

(b) The stage carriages with number of trips and number of vehicles under operation shall as per Annexure 'A' & 'B'.

(c) The stage carriage vehicles registered in the State of Chhattisgarh and are operating under this agreement in the State of Maharashtra shall be exempted from the payment of the motor vehicle tax applicable to them in the State of Maharashtra under existing provisions of the Bombay Motor Vehicles Tax Act, 1968 but shall be liable to pay the tax on passengers liable under the Bombay Motor Vehicles (Taxation of Passengers) Act, 1958.

(d) The stage carriage vehicles registered in the State of Maharashtra and are operating under this agreement in the State of Chhattisgarh shall be liable to pay the motor vehicle tax liable under Chhattisgarh Motoryaan Karadhan Adhiniyam, 1991.

(e) The fares and freight chargeable by the operators in the reciprocating State shall not be less than those charged by the operators of that State for similar services. The tickets issued by one State shall be deemed to be valid in the reciprocating State.

(f) Any extension or variation of a portion of an Inter-State route lying exclusively in one **State** may be made by the **Transport** Authority of that State in respect of **services** **rim** by the operators of the State without prior consultation with **Transport** Authority of the other **State** but it shall be necessary to intimate of this variation to the reciprocating **State**.

(g) It is agreed in respect of **stage carriages** operated **by the nominees** of the two States to extend their operation in the reciprocating State not exceeding **20 kms** measured along any motorable **roads** from the border subject to countersignature of the State **Transport** Authority of reciprocating State.

(h) Till the **substantive** permits **on** the routes mentioned in the schedules annexed hereto **are** granted by the **Transport** Authorities in the Reciprocating State, temporary permits to the nominees of the respective State shall be issued and or Countersigned by the **Transport** Authorities.

(i) The stage carriage bus shall not be allowed to ply **on** Inter-State routes, if, it is more than 10 years of age from the date of **its** initial registration.

(j) If any discrepancy is found in the distances of routes shown in the Schedule "A" and "B", the same shall be corrected through correspondence between the States and it shall not be treated **as modification** in the agreement.

(k) No standing **passengers** shall be permitted by either of the States.

(l) Countersigning authority shall be permitted to make necessary changes, if required, in the time table issued by the permit granting authority within its **own jurisdiction**.

II. Contract Carriages operation **of** motor-cabs on Substantive Permits.—It is agreed that **200** contract **carriage** permits for motor-cabs shall be countersigned by the **Transport** Authority of the either State. The motor-cab **covered** under the countersignature shall be **liable** to pay motor vehicle tax of the reciprocating State. **This** operation shall be subject to the condition that the motor-cab shall not have seating capacity of more than six passengers excluding driver.

III Contract Carriages operation **of** motor-cabs on **Temporary** Permits —It is agreed that **any** number of temporary permits under section **87** of the Motor Vehicles Act, 1988 may be issued for motor-cabs for each month

by the **Transport** Authority of either States for single return trip for a specified Inter-State route, connecting specified **terminus** without countersignature. The motor vehicles tax shall be payable to the reciprocating State for **the period for** which the temporary permits so issued may be valid.

IV. Goods Carriage Operation on Substantive Permits.—(a) The quota of **goods** carriage permits of each State to be countersigned by the Transport Authority **of** the other State in accordance with the provisions of sub-section **6 of** section **88** of the **Act** shall be **5000**.

(b) The countersignature shall be granted for plying the vehicles **on** all National and State Highways **with** a deviation up to **30 kilometers** except the routes prohibited in accordance with section **116** of the **Act**. For this purpose both the States will **exchange** lists of prohibited routes in each State from time to time.

(c) **The** vehicles shall not **on** their **return** journey pick-up any goods **between** any **two points** lying exclusively within the territory **of** the reciprocating State for setting down such **goods** at any place or route in that State :

Provided that **on** the forward journey there shall be no restriction on setting down goods anywhere in the reciprocating State but **no** goods shall be **picked** up in that State.

(d) "The **goods carriages** of Chhattisgarh State plying **on** substantive permit countersigned by State **Transport** Authority, Maharashtra shall be liable to pay tax of Rs. 5,000 per annum per vehicle for **minimum one year** in advance subject to validity **of** substantive primary permit. The **goods** carriages of Maharashtra State plying **on** substantive permit **countersigned** by the **Transport** Authority, Chhattisgarh shall pay tax as per Chhattisgarh Motor Yaaan Karadhan Adhiniyam, 1991.

(e) **The** countersignature granted shall be valid for the duration of the period **for which all** taxes due to the reciprocating State have been paid in advance.

(f) If the countersignature holders fail to pay tax **as** indicated in sub-clause (d) within **2** months **from** the date of expiry of the period for **which** the tax **was** last paid the countersignature shall be deemed to be cancelled under intimation to **original** permit granting Authority.

(g) **No** refund of tax paid in advance shall be permitted **on** account of dormancy **of** the permit pending replacement of the vehicle.

(h) The refund of tax paid in-advance on account of non-use of motor vehicle shall be allowed for the period not less than two consecutive quarters if intimation to that effect is given in writing before commencement of the period of non-use of motor vehicle and before the expiry of the current period for which the tax on such vehicle has been paid and tax book of the reciprocating State is surrendered and also certificate of non-use of motor vehicle, issued by the home State taxation authority is produced.

(i) A goods carriage vehicle plying on the Intar-State route on the authority of a countersignature shall carry a distinctive board as specified in the Annexure "C" to be displayed on the front side of the vehicle indicating that the vehicle holds a countersignature of the other State together with the serial number of countersignature.

(j) No countersignature on the permit shall be granted to a goods carriage which is 12 years old or more from the date of initial registration.

V. Goods Carriage Operation on Temporary Permit.—Transport Authority of either State without prior concurrence of the reciprocating State shall issue any number of temporary permit for goods carriages. A Temporary permit shall be valid for a period not exceeding one month. Temporary permits so issued shall be subject to the following conditions :—

(a) That the vehicle shall not be used for picking up and setting down goods between any two points lying exclusively within the jurisdiction of the reciprocating State.

(b) That the vehicle shall be liable to pay the motor vehicle tax in advance to the reciprocating State. Tax due to the reciprocating State shall be paid at the border check-post of Motor Vehicles/Transport Department at the point of entry and where there is no such check-post, it shall be paid at the nearest office of the Motor Vehicles/Transport Department in whose jurisdiction the point of entry falls.

(c) Transport Authority of the permit issuing State shall send a statement of temporary permits issued, once in a month for necessary verification.

VI. General.—(1) The vehicles other than stage carriages plying on temporary permit under the agreements shall be liable to pay motor vehicle tax to the reciprocating States in advance and such tax shall be remitted in accordance with the procedure specified in clause 5(b).

(2) The reciprocating State shall accord recognition to tax payments, and conductor licenses of motor vehicles plying on the Inter-State routes in accordance with this agreement.

(3) The vehicles owned by the Government of Reciprocating State used for non-commercial purpose shall be totally exempted from payment of motor vehicles tax.

(4) In every permit granted under this agreement the following condition shall be incorporated :—

"The permit is issued strictly in terms of the Inter-State agreement between the Maharashtra and Chhattisgarh. If the permit holder or his agent or his driver uses the vehicle in a manner not authorized by the permit such uses shall be deemed to be without any valid permit and the Transport Authority which detects such use is free to take such actions as its' Transport Authority may take."

(5) The countersignature granted under this agreement shall be subject to the condition that it shall be valid only for the duration of the period for which all taxes due to the reciprocating State have been paid.

(6) In respect of operation of stage carriage plying in terms of this agreement where the terminal point of a full stage on a border route does not synchronize with the Inter-State border the nominee of such State shall be permitted to stretch the unfinished stage into the territory of the reciprocating State so as to complete the unfinished stage and in such cases the fare charged for such stage shall be for one stage only.

(7) The stage carriage shall be permitted to divert their services on Inter-State routes specified in the agreement in case of construction of new road subject to the approval of concerned State Transport Authority.

(8) The State Transport Undertaking (STU) shall be permitted to substitute the vehicles mentioned in the permit under intimation to the reciprocating State Transport Authority as and when required.

(9) Both the reciprocating States shall allow the stage carriages of the other State to take up and settle down the passengers from their respective notified bus terminals.

(10) This agreement shall remain in force until it is reviewed and a new agreement comes into force or until it is rescinded or modified by mutual consent on three months notice by either side.

Annexure "A"
Inter-State routes allotted to Maharashtra

Sr. No.	Route	Distance	In KMS	Total	No. of single trip Total (6)	Total KMs. in C. G. (7)	No of permits (8)
		MH	C.G.	(5)			
(1)	(2)	(3)	(4)	(5)			
1	Nagpur to Raipur via Bhandara	162	137	289	14	1918	14
2	Bhandara to Raipur	88	137	226	4	648	4
3	Gondia to Dongargarh	67	16	83	2	32	2
4	Bhandara to Rajnandgaon	124	64	188	2	128	2
5	Chandrapur to Raipur via Mul, BRM, Kurkheda	267	137	404	4	548	4
6	Aheri to Raipur	301	137	438	2	274	2
7	Kakodi to Banjari	3	3	6	6	18	2
8	Gadchiroli to Rajnandgaon via Dhanora, Murumgaon Savargaon, Manpur, Kohadberi, Khadgaon, Deori	77	123	200	6	738	6
9	Nagpur-Rajnandgaon	152	67	219	2	134	2
10	Gadchiroli to Rajnandgaon via Dhanora, Manpur, Mohalla Chowki, Dongargaon	77	112	189	4	448	2
11	Gadchiroli to Manpur	77	13	90	6	78	2
12	Gadchiroli to Raipur	77	193	270	4	772	4
13	Gondia to Raipur	75	137	212	4	648	4
14	Chandrapur to Rajnandgaon	218	74	292	4	296	4
		Total	...	1755	1350	3105	64
						6480	54

Annexure "B"
Inter-State routes allotted to Chhattisgarh

Sr. No.	Route	Distance	In KMS	Total	No. of single Trip	Total Operation in MH in kms.	No. of Permits
		CG	MH	(5)			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Raipur to Nagpur via Rajnandgaon, Deori, Bhandara	137	151	288	14	2114	14
2	Dongargarh to Gondia via Chichola	16	67	83	4	268	2
3	Rajnandgaon to Nagpur via Deori	67	150	217	4	600	2
4	Rajnandgaon to Chandrapur via Gadchiroli	123	160	273	4	640	4
5	Manpur to Gadchiroli	10	77	87	4	308	2
6	Kawardhato Chandrapur via Khairagarh, Dongargarh, Deo	161	299	460	2	598	4
7	Jagdal to Sironcha via Bhopalpatnam	210	51	261	4	204	4
8	Bailadila to Sironcha via Geedam	96	51	147	2	102	2
9	Balodabazar to Nagpur via Raipur, Durg	222	151	373	4	604	4
10	Durg to Nagpur	97	151	248	2	302	2
11	Pakhanjoor to Gadchiroli via Pendri, Chandgaon	11	84	95	4	336	2
12	Pakhanjoor to Alapalli via Pendri, Yetapelli	11	61	72	4	244	2
Total ...		1161	1453	2604	52	6320	44

By order and in the name of the Governor of Maharashtra,

P. K. SAGDEO,
 Deputy Secretary to Government.